

Superfund, TRI, EPCRA, RMP & Oil Information Center Monthly Report

September 2006

Services in support of OSRTI, OIAA, and OEM

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Availability

The complete text of the 1991 (November and December only), and 1992 through 2008 Monthly Reports may be accessed from the Internet at www.epa.gov/superfund/contacts/infocenter.

The Information Center maintains an **electronic mailing list** named callcenter_oswer. Subscribers receive Information Center announcements and Monthly Reports via e-mail at no charge.

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Questions and Answers

TRI

Q: How are Toxics Release Inventory Facility Identification Numbers (TRIFID) established?

A: A TRIFID is established when a facility owner or operator first submits a TRI Form R or Form A for a particular location. The facility retains this identification number even if the facility changes ownership, name, production processes, or NAICS codes. A facility owner or operator inquiring about the TRIFID the facility was assigned should contact the CDX Help Desk at (888) 890-1995, or the Regional TRI Coordinator, or search for the TRIFID on the Envirofacts Web site at www.epa.gov/enviro. A facility owner or operator filing a first-time submission should enter “New Facility” in the TRIFID data field of the form, and the TRI Data Processing Center will assign an identification number to the facility after the submission has been processed.

Q: A facility subject to EPCRA §313 sends a waste that contains a toxic chemical to an off-site location where it is temporarily stored and repackaged. The toxic chemical does not undergo any reportable waste management activities (i.e., recycling, disposal, treatment for destruction, or energy recovery) at the off-site location. After repackaging, the waste, including the toxic chemical, is returned to the original facility for waste management on site (e.g., incineration). Assuming the original facility is required to submit a Form R for the toxic chemical, would it report the initial transfer off site for repackaging and storage on the Form R?

A: The facility would not report the transfer of a toxic chemical in waste to an off-site

location for repackaging and storage on the Form R if the toxic chemical is subsequently returned to the facility during the same reporting year. However, if the toxic chemical is not returned to the facility during the same reporting year, the transfer must be reported as a “Transfer to Waste Broker” in Part II, Section 6.2 of the Form R using codes M92, M93, M94, or M95, as appropriate. Furthermore, if the toxic chemical undergoes any reportable waste management activities at the off-site facility, or is sent from the first off-site facility to a second off-site facility for waste management, then the original facility must report the transfer appropriately in Part II, Sections 6 and 8 of the Form R.

Q: When were facilities first required to use North American Industry Classification System (NAICS) codes for EPCRA §313 reporting?

A: On June 6, 2006, EPA published a final rule requiring facilities to use NAICS codes, instead of the previously used Standard Industrial Classification (SIC) codes, to determine TRI reporting applicability and to identify their principal business activities for releases and other waste management activities during calendar year 2006, for reports due July 1, 2007 (71 FR 32464; June 6, 2006). This final rule did not intend to add or delete any industry groups subject to TRI requirements; rather, EPA simply assigned NAICS codes to those SIC codes that were already subject to TRI reporting. A complete list of the 2002 NAICS codes for TRI facilities required to report for EPCRA §313 reporting is available at www.epa.gov/tri/tridata/lawsandregs/ncodes.htm.

A crosswalk between SIC codes and the corresponding 2002 NAICS codes is available at

www.census.gov/epcd/naics02/N02TOS87.HTM.

EPA plans to publish a rule that will require facilities to use the revised 2007 NAICS codes beginning in reporting year 2008 for their reports due by July 1, 2009.

New Publications

How to order...

NTIS Publications are available by calling (800) 553-6847 or (703) 605-6000, or writing NTIS, 5285 Port Royal Road, Springfield, VA 22161. Use the NTIS Order Number listed under the document.

NSCEP Publications are available by calling (800) 490-9198 or by writing USEPA/NSCEP, PO Box 42419, Cincinnati, OH 45242-0419. Use the EPA Order Number listed under the document.

Information Center Publications are available by calling the Information Center at:

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CROSS-PROGRAM

TITLE: 2005 Year in Review: Emergency Management – Prevention, Preparedness, and Response

PUBLICATION DATE: September 2006

EPA ORDER No.: EPA550-R-06-001

AVAILABILITY: Internet

URL: http://www.epa.gov/emergencies/docs/OEM_2005review.pdf

This report highlights the progress and activities of the Office of Emergency Management (OEM) during 2005, including amendments to the SPCC Rule, analysis of RMP data, improvements to RMP software and data availability, and continued cooperation with state, local, and other federal agencies to support and enhance the use of software programs to prepare for emergencies. This document also describes exercises and other ongoing efforts to prepare for and respond to emergencies and summarizes EPA's response and recovery efforts for Hurricanes Katrina and Rita.

FEDERAL REGISTERS

Availability

You may order copies of Federal Registers by calling the Superfund, TRI, EPCRA, RMP & Oil Information Center
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Electronic Availability

EPA Federal Registers from October 1994 to the present are accessible via the Internet at: www.epa.gov/fedrgstr

FINAL RULES

CERCLA

**“National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List”
September 19, 2006 (71 FR 54763)**

EPA announced the deletion of the Waverly Groundwater Contamination Superfund Site from the National Priorities List (NPL). The effective date of this rulemaking is November 20, 2006, unless EPA receives adverse comments by October 19, 2006.

**“National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update”
September 19, 2006 (71 FR 54767)**

EPA announced the deletion of the Cedartown Industries, Inc. Superfund Site from the NPL. The effective date of this rulemaking is September 19, 2006.

**“National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List”
September 22, 2006 (71 FR 55319)**

EPA announced the deletion of the Army Materials Technology Laboratory Superfund Site from the NPL. The effective date of this rulemaking is November 21, 2006,

unless EPA receives adverse comments by October 23, 2006.

**“National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update”
September 25, 2006 (71 FR 55742)**

EPA announced the deletion of the Nineteenth (19th) Avenue Landfill Superfund Site from the NPL. The effective date of this rulemaking is September 25, 2006.

**“National Priorities List, Final Rule”
September 27, 2006 (71 FR 56399)**

EPA added five sites to the General Superfund Section of the NPL. The effective date of this rulemaking is October 27, 2006.

EPCRA

**“Reportable Quantity Adjustment for Isophorone Diisocyanate”
September 11, 2006 (71 FR 53331)**

On September 8, 2003, EPA modified the threshold planning quantity (TPQ) for isophorone diisocyanate (IPDI) to 500 pounds, but inadvertently omitted a reportable quantity (RQ) adjustment for this substance (68 FR 52978). Therefore, EPA is now adjusting the RQ for IPDI to 500 pounds. The effective date of this rulemaking is November 13, 2006, unless

EPA receives adverse comments by October 11, 2006.

PROPOSED RULES

CERCLA

**“National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List”
September 19, 2006 (71 FR 54793)**

EPA announced its intent to delete the Waverly Groundwater Contamination Superfund Site from the NPL. Comments must be received by October 19, 2006.

**“National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List”
September 22, 2006 (71 FR 55403)**

EPA announced its intent to delete the Army Materials Technology Laboratory Superfund Site from the NPL. Comments must be received by October 23, 2006.

**“National Priorities List, Proposed Rule No. 45”
September 27, 2006 (71 FR 56433)**

EPA announced its intent to add six new sites to the General Superfund Section of the NPL. Comments must be received by November 27, 2006.

EPCRA

**“Reportable Quantity Adjustment for Isophorone Diisocyanate”
September 11, 2006 (71 FR 53354)**

EPA proposed to adjust the RQ for IPDI to 500 pounds to be consistent with the adjusted TPQ (68 FR 52978; September 8, 2003). Comments must be received by October 11, 2006.

NOTICES

CERCLA

**“Identification of Priority Data Needs for Two Priority Hazardous Substances”
September 8, 2006 (71 FR 53102)**

EPA announced the availability of the priority data needs for the toxicological profiles of two priority hazardous substances prepared by the Agency for Toxic Substances and Disease Registry (ATSDR). Comments must be received by December 5, 2006.

**“Notice of Disclosure of Confidential Business Information Obtained Under the Comprehensive Environmental Response, Compensation and Liability Act to EPA Contractor GRB Environmental Services, Inc.”
September 15, 2006 (71 FR 54477)**

EPA announced the authorization of GRB Environmental Services Inc. of New York, New York to access information that has been submitted to EPA under CERCLA. Some of this information may be claimed or determined to be confidential business information (CBI). Comments must be received by September 22, 2006.

**“Availability of Two Interaction Profiles [Final Documents]”
September 28, 2006 (71 FR 56987)**

EPA announced the availability of two interaction profiles prepared by ATSDR. The interaction profiles will be available to the public on or about October 1, 2006.

EPCRA**“Agency Information Collection Activities OMB Responses”
September 25, 2006 (71 FR 55785)**

This document announced Office of Management and Budget (OMB) responses to Agency Clearance requests, in compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et. seq). Specifically, Information Collection Request (ICR) Number 1428.07, “Trade Secret Claims for Emergency Planning and Community Right-to-Know Act,” was extended on August 30, 2006. This ICR, OMB Control Number 2050-0078, expires August 31, 2009.

SETTLEMENTS AND CONSENT

- “Proposed Settlement; Florida Petroleum Reprocessors Superfund Site”
September 8, 2006 (71 FR 53094)
- “Consent Decree; *United States v. AgriProcessors, Inc.*”
September 8, 2006 (71 FR 53132)
- “Consent Decree; *United States v. American Cyanamid, et al.*”
September 8, 2006 (71 FR 53132)
- “Consent Decree; *U.S. v. Government of the Virgin Islands*”
September 8, 2006 (71 FR 53133)
- “Proposed Settlement; Del Amo Superfund Site”
September 12, 2006 (71 FR 53685)
- “Consent Decree; *United States v. United Park City Mines Co., et al.*”
September 13, 2006 (71 FR 54093)
- “Consent Decree; *United States v. United Park City Mines Co., et al.*”
September 13, 2006 (71 FR 54093)
- “Consent Decree; *United States v. City of New Orleans, et al.*”
September 20, 2006 (71 FR 55014)
- “Proposed Settlement; P&W Electric Superfund Site”
September 22, 2006 (71 FR 55472)
- “Proposed Settlement; Denova Superfund Site”
September 27, 2006 (71 FR 56528)
- “Consent Decree; *United States v. Mallinckrodt, et. al.*”
September 27, 2006 (71 FR 56553)
- “Consent Decree; *United States v. Seaboard Foods LP*”
September 27, 2006 (71 FR 56553)
- “Consent Decree; *United States v. Thomasville Furniture Industries, Inc., et al.*”
September 27, 2006 (71 FR 56555)
- “Proposed Settlement; Calumet Containers Superfund Site”
September 28, 2006 (71 FR 56975)
- “Proposed Settlement; Denova Environmental Superfund Site”
September 28, 2006 (71 FR 56976)
- “Proposed Settlement; South Bay Asbestos Superfund Site”
September 28, 2006 (71 FR 56976)
- “Proposed Settlement; Richardson Flat Tailing Superfund Site”
September 29, 2006 (71 FR 57510)